

REMARKS

Claims 1-36 are pending in this application. Claims 1-19 are rejected. Claims 20-36 are allowed. None of the claims are currently amended. Reconsideration is requested.

As discussed in the Examiner's Response to Arguments, claims 1-19 recite performing steps "if" the data path does not include forwarding information. The Examiner has taken the position that the limitations containing and following the "if" statement cannot be given patentable weight because the limitation introduces the possibility that the data path may include the forwarding information at the time of determination. The Examiner suggests that replacing the term "if" with the term "when" would cause claims 1-19 to be allowable. Applicant respectfully traverses. In the context of the recited claims, at least one meaning of each of the two terms is essentially the same and, therefore, the change does not alter the scope of the claims. One meaning of the term "if" is "in the event that."¹ One meaning of the term "when" is "at the time or in the event that."² Withdrawal of the rejection is therefore requested.

In the event that the rejection is maintained, Applicant requests that the reasoning behind the rejection be clarified. When a multicast packet is received by a router, forwarding information may or may not exist in the data path. This is a basic condition of routing which is not altered by the invention. For example, there is unlikely to be any forwarding information in the router for the first multicast packet associated with a new multicast group because the router will not have received a previous multicast packet with that destination address. It takes time to resolve the address in order to populate the data path with forwarding information, so the

¹ The American Heritage® Dictionary of the English Language, Fourth Edition copyright ©2000 by Houghton Mifflin Company. Updated in 2003.

multicast packet is broadcast in parallel with address resolution. Later, when the address has been resolved and the data path populated with forwarding information, subsequent multicast packets having the same multicast address will be forwarded to only those output ports designated by the forwarding information in the data path. It is unclear to Applicant how the existence of the possibility of forwarding information being in the data path has any bearing on the claim. Data path forwarding is well understood in the art. The invention is an alternative technique that is implemented under conditions following the "if" statement recited in the claims, i.e., if the data path does not include the forwarding information for the multicast data.

This application is considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 (X305) so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

/Holmes W. Anderson/
Holmes Anderson, Reg. No. 37,272
Attorney/Agent for Applicant(s)
McGuinness & Manaras LLP
125 Nagog Park
Acton, MA 01720
(978) 264-6664

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² Id.